

## **REMARKS**

Claims 1-20 are pending in the application.

### **Claim Rejections – 35 U.S.C. § 112**

Claims 1-7, 11, 12, and 15-20 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 1, 2, 11, 12, 13, 15, and 20 have been amended to correct the informalities identified by Examiner. It is, therefore, respectfully submitted that the rejection of claims 1-7, 11, 12, and 15-20 under 35 U.S.C. §112 has been overcome.

### **Claim Rejections – 35 U.S.C. § 101**

Claims 1-7 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Independent claim 1 has been amended to recite that the program files are stored on a storage medium on an information handling system. It is respectfully submitted, therefore, that all of the pending claims recite statutory subject matter.

### **Double Patenting**

Claims 1, 2, 4, 5-8, 11-15, and 18-20 are provisionally rejected as unpatentable over claims 1, 4, 5-8, 11-15, and 18-20 of co-pending Application No. 10/657,989 in view of U.S. Patent No. 6,075,943 to Feinman (“Feinman”). Applicants respectfully traverse this rejection, but request that the response to this rejection be held in abeyance until Examiner has indicated allowable claims in the present application.

### **Claim Rejections**

Claims 1, 3, 6, 8, 13, 15, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,991,543 to Amberg et al. (“Amberg”). Claims 2, 5, 9, 10, 12, 16, 17, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman. Claims 4, 11, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman, and further in view of U.S. Patent No. 6,088,803 to Tso et al. (“Tso”). Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman and further in view of U.S. Patent No. 6,378,054 to Karasudani et al. (“Karasudani”).

### **Response to Rejection of Claims**

Examiner has rejected independent claims 1, 8, and 15 under 35 U.S.C. §102(b) as being anticipated by Amberg et al. Each of the aforementioned independent claims recite a system, method, or information handling system that comprises a repack and script regeneration server that disassembles a software application into a plurality of individual program files, generates an index of the individual program files, and identifies and removes redundant program files. Examiner alleges that the Amberg reference teaches removal of redundant program files. For this proposition, Examiner cites column 2, lines 44-47 of Amberg. For convenience, the text of column 2, lines 40-47 of Amberg, which includes the text cited by Examiner, is set forth below:

A component descriptor corresponds to a respective component of the computer system. The method includes accessing a command within the step sequence; creating a file including a start of execution indication; executing the command; deleting the file including the start of execution indication when the command completes execution; and repeating the accessing, creating, executing and deleting for the plurality of steps. (Emphasis added)

As stated by Applicants in the previous response to the final rejection of Applicant's claims, the cited portion of Amberg does not teach removal of redundant program files. Instead, the cited portion of Amberg teaches a sequence of creating a file, executing a command, and then deleting the file that was created. The cited portion of Amberg does not discuss deletion of redundant files; rather, it discusses deleting the only copy of a file. Applicants submit, therefore, that Amberg fails to teach all of the limitations recited in independent claims 1, 8, and 15, and, therefore the rejection of these claims under 35 U.S.C. §102(b) should be removed and these claims should be passed to allowance. Applicants further submit that all pending dependent claims are allowable as being dependent on allowable base claims.

### CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

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Respectfully submitted,

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